

REMARKS

Claims 13 and 17-27 are pending in this application. By this Amendment, claims 13, 19, 25 and 26 are amended, new claim 27 is added and claims 14-16 are cancelled without prejudice or disclaimer of the subject matter recited therein. Support for the amendments to claim 13 may be found at least in Figure 2, and support for the amendments to claims 19 and 25 may be found at least in Figure 5 and page 10, lines 12-14 of the specification. Support for the amendments to claim 26 may be found at least in Figure 7, and support for new claim 27 may be found at least in claim 25. Thus, no new matter is added by the above amendments. In view of at least the following, reconsideration and allowance are respectfully requested.

I. Objection to the Specification

The Office Action objects to the specification because the title is allegedly not sufficiently descriptive. By this Amendment, the title is amended to be the following: "An Image Communication Apparatus for Sending Facsimile Data to a Facsimile Machine in Response to a Facsimile-Forwarding Instruction." Applicants respectfully submit that the title is sufficiently descriptive and in compliance with 37 C.F.R. §1.72.

Accordingly, withdrawal of the objection is respectfully requested.

II. Claim Rejections under 35 U.S.C. §112, first paragraph

The Office Action rejects claims 18, 25 and 26 for allegedly failing to comply with the written description requirement for various reasons. These rejections are respectfully traversed.

The Office Action rejects claim 25 because the claim language related to the selection unit is allegedly contentious. Specifically, the Office Action asserts that the claim language is contrary to the specification because it is possible that a sender is both registered by the registering unit and instructed by the email. By this Amendment, claim 25 is amended to

recite, in part, "a registering unit that registers a sender whose email is permitted to be facsimile-forwarded, a receiver whose facsimile data is received and a facsimile-forwarding destination corresponding to the receiver." Applicants respectfully submit that claim 25 clearly distinguishes from a sender and a receiver.

The Office Action rejects claim 26 based on the assertion that the claim language related to the reporting unit sending an accumulation report to the sender of the email is allegedly not supported by the specification. However, the Office Action also acknowledges that the specification provides adequate support for sending a facsimile to the facsimile destination when there is a transmission failure. By this Amendment, claim 26 specifies that an accumulation report is sent to the facsimile-forwarding destination. Therefore, this rejection is moot.

The Office Action rejects claim 18 as allegedly failing to comply with the written description requirement. It is unclear under what grounds the Examiner is asserting this rejection; however, Applicants regret any misunderstanding of the claim language that the Examiner may have based on the most recent personal interview.

Furthermore, in regard to the rejection of claim 18, Applicants are unclear as to which part of the specification the Examiner is referring to in order to support the allegation on Page 4 of the Office Action that the specification presents the forwarding size upper limit as a separate feature from the forwarding page upper limit. In relation to Figure 3, at least page 8, lines 12-18 of the specification discusses how in S205 (Image Number Equal To/Less Than Forwarding Upper Limit?) if the page number is within the set bounds then the facsimile-forwarding will occur. Therefore, at least Figure 3 of the present application does not present a forwarding size upper limit that is based on the number of pages, as recited in claim 18.

Accordingly, withdrawal of the rejections is respectfully requested.

III. Claim Rejections under 35 U.S.C. §112, second paragraph

The Office Action rejects claims 13 and 26 for allegedly being indefinite for various reasons. These rejections are respectfully traversed.

The Office Action rejects claim 13 for an alleged informality. By this Amendment, claim 13 recites, in part, “an image communication apparatus,” as suggested by the Examiner.

The Office Action further rejects claim 25 because the term “instructed” is allegedly unclear. By this Amendment, claim 26 recites, in part, “instructed by the email,” as suggested by the Examiner.

Accordingly, withdrawal of the rejections is respectfully requested.

IV. Claim Rejections under 35 U.S.C. §103

The Office Action rejects claims 13-17 under 35 U.S.C. §103(a) over U.S. Patent No. 5,859,967 (Kaufeld) in view of U.S. Patent No. 6,982,803 (Eguchi) and U.S. Patent No. 7,009,725 (Miyana); rejects claim 16 under 35 U.S.C. §103(a) over Kaufeld, Eguchi and Miyana and further in view of U.S. Patent No. 6,771,382 (Misawa) and U.S. Patent No. 6,373,598 (Matsumoto); rejects claims 18-25 under 35 U.S.C. §103(a) over Kaufeld, Eguchi and Miyana and further in view of U.S. Patent No. 6,211,972 (Okutomi); and rejects claim 26 under 35 U.S.C. §103(a) over Kaufeld, Eguchi, Miyana and Okutomi and further in view of U.S. Patent Publication No. 2004/0128207 (Ray). These rejections are respectfully traversed.

Independent Claim 13

The Office Action rejects independent claim 13 under 35 U.S.C. §103(a) Kaufeld in view of Eguchi and Miyana. By this Amendment, claim 13 recites, in part, “a forward stopping control unit that stops facsimile-forwarding of the facsimile data converted by the converting unit when the facsimile data converted by the converting unit exceeds the forwarding size upper limit; and a reporting unit that prints a report of facsimile-forwarding

failure when the facsimile-forwarding of the facsimile data was stopped by the forward stopping control unit."

Applicants respectfully submit that the applied art references do not disclose or establish any reason to provide at least the above-recited features of independent claim 13. Kaufeld relates to a method for converting an email message to a facsimile only for authorized users (abstract). Specifically, Kaufeld discloses that when it is determined that the email message originated from an authorized user a counter is decreased by one, and if the counter has reached zero then there is no valid authorization code so the account cannot be used (col. 2, lines 16-22).

Eguchi relates to a facsimile server that receives the incoming electronic mail by the packet if the data size of the electronic mail exceeds the receivable size (Abstract). Specifically, Eguchi discloses a facsimile server 2 for returning or forwarding the over-sized electronic mail, such that the server 2 returns or forwards the electronic mail as it is by the packet to a designated address (col. 5, lines 42-50). Therefore, in Eguchi the facsimile server 2 returns or forwards the electronic mail as is when the data size of the electronic mail exceeds the preset limit. Therefore, in both Kaufeld and Eguchi the forwarding of data occurs after a determination has been made in regard to whether the data exceeds a preset upper limit.

Miyanaga relates to an electronic mail communication apparatus in which a controller determines whether a transmission data amount of the image data exceeds a limit capacity of a mail server before an actual transmission of the image data occurs (Abstract).

The applied art references, individually or in any combination, do not disclose or establish any reason to provide the features of claim 13 for at least the reasons discussed above. Moreover, Misawa and Okutomi do not cure these deficiencies in Kaufeld, Eguchi

and Miyanaga. Therefore, the references fail to render obvious the subject matter of independent claim 13, and the claims dependent therefrom.

Accordingly, withdrawal of the rejection is respectfully requested.

Independent Claim 19

The Office Action rejects independent claim 19 under 35 U.S.C. §103(a) over Kaufeld, Eguchi, Miyanaga, and Okutomi. Claim 19 recites, in part, "an analyzing unit that analyzes the email received by the email receiving unit and obtains a destination of the email and a source of the email ... a determining unit that determines whether the source of the email analyzed by the analyzing unit is the sender registered by the registering unit and determines whether the destination of the email is the receiver registered by the registering unit; a converting unit that converts the email into the facsimile data, the facsimile data including an image data to be transferred to the facsimile machine, when the source of the email is the sender registered by the registering unit and the destination of the email is the receiver registered by the registering unit."

Applicants respectfully submit that the applied art references do not disclose or establish any reason to provide at least the above-recited features of independent claim 19. The Office Action asserts that the above-recited features of claim 19 are disclosed in Kaufeld. However, as discussed above, Kaufeld relates to a system for converting an email message when it is determined that the email message originated from an authorized user, such that a counter is decreased by one, if the account has not reached zero (Abstract). Thereafter in Kaufeld the email is converted into an image that is transmitted via facsimile (Abstract). Furthermore, Kaufeld generally discloses that the received facsimile is an email to fax delivery, such that the "To" line of the email contains the phone number of the facsimile receiving device and the message includes the address of the person sending the email (col. 7, lines 13-18).

Therefore, Kaufeld at least does not disclose the features of an analyzing unit that analyzes the email received by the email receiving unit and obtains a destination of the email and a source of the email, and a converting unit that converts the email into the facsimile data when the source of the email is the sender registered by the registering unit and the destination of the email is the receiver registered by the registering unit, as recited in claim 19.

Eguchi and Miyana do not cure the above-discussed deficiency in Kaufeld. Specifically, Eguchi relates to detecting a receivable data size prior to forwarding the incoming electronic mail by the packet to a designated address (Abstract). Furthermore, Miyana merely discloses that when the transmission data amount of the image data exceeds the limit capacity of the mail server, processing is performed so that the electronic can be transmitted (col. 1, lines 63-67, col. 2, lines 1-3).

Okutomi also does not cure the above-discussed deficiencies in Kaufeld, Eguchi and Miyana. The Office Action merely relies on Okutomi as allegedly disclosing that it is well known in the art to correspond destinations with senders.

The applied art references, individually or in any combination, do not disclose or establish any reason to provide the features of claim 19 for at least the reasons discussed above. Therefore, the references fail to render obvious the subject matter of independent claim 19 and the claims dependent therefrom.

Accordingly, withdrawal of the rejection is respectfully requested.

Independent Claim 25

The Office Action rejects independent claim 25 under 35 U.S.C. §103(a) over Kaufeld, Eguchi, Miyana, and Okutomi. Independent claim 25 recites, in part, “an analyzing unit that analyzes the email received by the email receiving unit and obtains a destination of the email, a source of the email and a facsimile-forwarding destination ... a

first determining unit that determines whether facsimile-forwarding destination is instructed by the email analyzed by the analyzing unit; a second determining unit that determines whether the destination of the email analyzed by the analyzing unit is the receiver registered by the registering unit; a converting unit that converts the email into facsimile data ... when the first determining unit determines that the facsimile-forwarding destination is instructed or when the second determining unit determines that the destination of the email is the receiver."

Applicants respectfully submit that the applied art references do not disclose or establish any reason to provide at least the above-recited features of independent claim 25. As discussed above in regard to claim 19, Kaufeld, Eguchi, Miyanaga, and Okutomi do not disclose or establish any reason to provide the features of an analyzing unit and a converting unit, as recited in claim 25.

The applied art references, individually or in any combination, do not disclose or establish any reason to provide the features of claim 25 for at least the reasons discussed above. Moreover, Ray does not cure these deficiencies in Kaufeld, Eguchi, Miyanaga, and Okutomi. Therefore, the references fail to render obvious the subject matter of independent claim 25, and the claims dependent therefrom.

Accordingly, withdrawal of the rejection is respectfully requested.

V. New Claim 27

By this Amendment, new claim 27 is added. Claim 27 depends from independent claim 25, which is allowable at least for the reasons discussed above. Therefore, claim 27 is allowable at least for the reasons that claim 25 is allowable, as well as for the additional subject matter it recites.

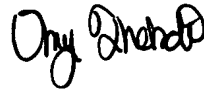
Accordingly, allowance of claim 27 is respectfully requested.

VI. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the pending claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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